

Court of Appeals, Division One
Criminal

1 CA-CR 15-0281

STATE v. ALLEN

Appellate Case Information

Case Filed: 28-Apr-2015
Case Closed:

Dept/Composition

Department A

Hon. Peter B Swann
Hon. Lawrence F Winthrop
Hon. Donn Kessler

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Terry M Crist, Esq. (AZ Bar No. 28348)

Side 2. TOLLY DEVEYON ALLEN, Appellant

(Litigant Group) TOLLY DEVEYON ALLEN

- Tolly Deveyon Allen

Attorneys for: Appellant

Natalee E Segal, Esq. (AZ Bar No. 16775)

CASE STATUS

Aug 29, 2016....Pending in ASC

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2014-145058-001	See File	See File	Danielle J Viola, Sentencing	JURY	

DESCENDENT CASE(S)

ASC CR-16-0298-PR

CASE DECISION

07-Jul-2016 MEMORANDUM DECISION

Peter Swann.....Author
Lawrence Winthrop.....Concur
Donn Kessler.....Concur in part
Dissent in part

Filed: 07-Jul-2016

Mandate:

Decision Disposition

Affirmed

43 PROCEEDING ENTRIES

- 28-Apr-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 04/21/15. Notification to Court Reporters dated 04/27/15.
- 31-May-2015 FILED: Reporter's Transcript - 03-12-15 - Trial Day 4 PM (Lori Thielmann)
- 1-Jun-2015 FILED: Motion for Extension of Time (to File Transcripts) (Marla Arnold)
- 2-Jun-2015 FILED: Reporter's Transcript 3/23/15 -Jury Question (Scott Coniam)
- 4-Jun-2015 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 03/09/2015 List # 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35
36 37 38 39 40 41 42 43 in a Manila Envelope
Sealed Items:
Confidential Criminal History Addendum in Sealed Manila Envelope
- 4-Jun-2015 FILED: Courtesy Copy of Designation of Record for Appeal Filed in Superior Court (Appellant)
- 5-Jun-2015 ORDERED: Ken Crenshaw due dates EXTENDED to 07/06/2015 for Transcripts dated 02/02/2015, 02/18/2015. Hon Michael J Brown - Author
- 8-Jun-2015 FILED: Reporter's Transcript - 03/10/2015 - Jury Trial (Patricia Kotarba)
- 15-Jun-2015 FILED: Reporter's Transcripts: Trial Day 6 - 3/23/2015 - (Jane Westlund)

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10. 16-Jun-2015 ORDERED: Motion for Extension of Time (to File Transcripts) (Marla Arnold) = GRANTED. Due Dates EXTENDED to 07/16/2015 for Transcripts dated 02/26/2015, 03/09/2015, 03/10/2015, 03/11/2015, 03/12/2015, 03/16/2015, 04/20/2015 or OSC 8/5/15 Hon Michael J Brown - Author
11. 23-Jun-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: None
Exhibits: None
12. 25-Jun-2015 FILED: Reporter's Transcript 03/10/15 - Trial Day 2 - P.M. (Marla Arnold)
13. 25-Jun-2015 FILED: Reporter's Transcript 03/12/2015 - Trial Day 4 A.M. (Marla Arnold)
14. 26-Jun-2015 ORDERED: Court Reporter Michael Babicky transcript dated 2/26/15 past due. OSC set for 7/15/15. Hon Michael J Brown - Author
15. 2-Jul-2015 FILED: Reporters Transcript 02/26/2015 (Michael Babicky)
16. 6-Jul-2015 FILED: Reporters Transcript 02/02/2015 (Jennifer Lindeman)
17. 6-Jul-2015 FILED: Reporters Transcript 02/18/2015 (Jennifer Lindeman)
18. 9-Jul-2015 ORDERED: Court Repoter Marla Arnold transcripts dated 3/9/15, 3/11/15, 3/16/15 due 8/10/15. Hon Samuel A Thumma - Author (VACATED per order dated 7/10/15)
19. 9-Jul-2015 ORDERED: Court Reporter Lori Thielmann transcript dated 4/30/15 due 8/10/15. Hon Samuel A Thumma - Author (VACATED per order dated 7/10/15)
20. 10-Jul-2015 ORDERED: Vacating the court's order dated 7/9/15 re: Marla Arnold. Hon Michael J Brown - Author
21. 10-Jul-2015 ORDERED: Vacating the court's order dated 7/9/15 re: Lori Thielmann. Hon Michael J Brown - Author
22. 10-Jul-2015 FILED: Reporter's Transcripts - 03/11/15 Trial Day 3 ALL DAY (Marla Arnold)
23. 16-Jul-2015 FILED: Reporter's Transcripts - 03/09/15 Trial Day 1 ALL DAY (Marla Arnold)
24. 16-Jul-2015 FILED: Reporter's Transcripts - 03/16/15 Trial Day 5 ALL DAY (Marla Arnold)
25. 16-Jul-2015 FILED: Reporter's Transcripts - 04/20/15 Sentencing A.M. (Marla Arnold)
26. 21-Jul-2015 FILED: Reporter's Transcript 02/26/2015 Trial Day 1 P.M. (Marla Arnold)
27. 22-Jul-2015 FILED: Notice of Completion of Record
28. 28-Jul-2015 FILED: Motion to Withdraw and Substitute New Counsel; Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant)
29. 4-Aug-2015 ORDERED: Motion to Withdraw and Substitute New Counsel (Appellant) = GRANTED. FURTHER ORDERED: Appointing Natalee Segal as counsel for appellant. FURTHER ORDERED: Maricopa County Public Defender forward all files to newly appointed counsel. FURTHER ORDERED: Motion to Extend Opening Brief Due Date (Appellant) = GRANTED. Due date EXTENDED from Tuesday, 09-08-2015 to Friday, 09-18-2015. Anthony Mackey ProTem Judge - Author
30. 22-Sep-2015 ORDERED: Opening Brief Due date EXTENDED from Friday, 09-18-2015 to Monday, 10-19-2015. Fred Cole ProTem Judge - Author
31. 19-Oct-2015 FILED: Opening Brief; Certificate of Compliance OB; Certificate of Mailing OB (Appellant)
32. 26-Oct-2015 FILED: Notice of Appearance; Certificate of Service (Appellee)
33. 9-Dec-2015 ORDERED: Answering Brief due date EXTENDED from Monday, 12-07-2015 to Wednesday, 01-06-2016. Fred Cole ProTem Judge - Author
34. 6-Jan-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)

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35.	27-Jan-2016	FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
36.	28-Jan-2016	FILED: Notice of No Reply; Certificate of Service Notice of No Reply (Appellant)
37.	3-Feb-2016	FILED: Supplemented Superior Court e-Record with Revised Index of Record
38.	29-Feb-2016	CLNDR: CONFERENCE, Department A, 4-19-16, COURTROOM 1.
39.	7-Jul-2016	MEMORANDUM DECISION (Affirmed) Hon Peter B Swann - Author; Hon Lawrence F Winthrop - Concur; Hon Donn Kessler - Concur in part; Hon Donn Kessler - Dissent in part
40.	7-Jul-2016	FILED: Memorandum Decision Distribution List
41.	3-Aug-2016	FILED: ASC Order filed 08/03/2016 re: extending time for filing Petition for Review to 09/07/2016
42.	29-Aug-2016	FILED: Email Notice from ASC re: Petition for Review filed 8/29/16 request for partial record
43.	30-Aug-2016	FILED: Letter forwarding partial record to Arizona Supreme Court